



Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

April 30, 2010

James & Theresa Stellar
57 Robbins St
Acton MA 01720

RE: Project Location: 57 Robbins St, Acton
Project Description: Common Driveway, 2 Single Family Homes
NHESP File No.: 09-27190

Dear Applicants:

Thank you for submitting the MESA Project Review Checklist, site plans (dated November 9, 2009) and other required materials, including the Habitat Assessment (dated April 12, 2010) to the Natural Heritage and Endangered Species Program (NHESP) of the MA Division of Fisheries & Wildlife for review pursuant to the Massachusetts Endangered Species Act (MESA) (MGL c.131A) and its implementing regulations (321 CMR 10.00).

Based on a review of the information that was provided and the information that is currently contained in our database, the NHESP has determined that this project, as currently proposed, **will not result in a prohibited "take"** of state-listed rare species. This determination is a final decision of the Division of Fisheries & Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the NHESP pursuant to the MESA. This project may be subject to further review if no physical work is commenced within three years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Emily Holt, Endangered Species Review Assistant, at (508) 389-6361.

Sincerely,

Thomas W. French, Ph.D.
Assistant Director

cc: Scott Smyers, Oxbow Associates, Inc.

www.masswildlife.org

Division of Fisheries and Wildlife
Field Headquarters, North Drive, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7891
An Agency of the Department of Fish and Game